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Technical cooperation and assistance

Note by the Secretariat

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I. Introduction

1. Pursuant to a decision taken at its twentieth session in 1987, technical cooperation and assistance activities aimed at promoting the use and adoption of its texts represent one of the priorities of the United Nations Commission on International Trade Law (UNCITRAL).[1]

2. In its resolution 67/89 of 14 January 2013, the General Assembly reaffirmed the importance, in particular for developing countries and economies in transition, of the technical cooperation and assistance work of the Commission and reiterated its appeal to bodies responsible for development assistance, as well as to Governments in their bilateral aid programmes, to support the technical cooperation and assistance programme of the Commission and to cooperate and coordinate their activities with those of the Commission.

3. The General Assembly welcomed the initiatives of the Commission towards expanding, through its Secretariat, its technical cooperation and assistance programme, and noted with interest the comprehensive approach to technical cooperation and assistance, based on the strategic framework for technical assistance suggested by the Secretariat to promote universal adoption of the texts of the Commission and to disseminate information on recently adopted texts.

4. The General Assembly also stressed the importance of promoting the use of texts emanating from the work of the Commission for the global unification and harmonization of international trade law, and to this end urged States that have not yet done so to consider signing, ratifying or acceding to those conventions, enacting model laws and encouraging the use of other relevant texts.

5. The status of adoption of UNCITRAL texts is regularly updated and available on the UNCITRAL website. It is also compiled annually in a note by the Secretariat entitled "Status of conventions and model laws" (for the Commission's forty-eighth session, see A/CN.9/843).

6. This note sets out the technical cooperation and assistance activities of the Secretariat subsequent to the date of the previous note submitted to the Commission at its forty-seventh session in 2014 (A/CN.9/818 of 2 May 2014), and reports on the development of resources to assist technical cooperation and assistance activities.

7. A separate document (A/CN.9/838) provides information on current activities of international organizations related to the harmonization and unification of international trade law and on the role of UNCITRAL in coordinating those activities.

II. Technical cooperation and assistance activities

A. General approaches

8. Technical cooperation and assistance activities undertaken by the Secretariat aim at promoting the adoption and uniform interpretation of UNCITRAL legislative

[1] *Official Records of the General Assembly, Forty-second Session, Supplement No. 17* (A/42/17), para. 335.

texts. Such activities include providing advice to States considering signature, ratification or accession to UNCITRAL conventions, adoption of an UNCITRAL model law or use of an UNCITRAL legislative guide.

9. Technical cooperation and assistance may involve: undertaking briefing missions and participating in seminars and conferences, organized at both regional and national levels; assisting countries in assessing their trade law reform needs, including by reviewing existing legislation; assisting with the drafting of national legislation to implement UNCITRAL texts; assisting multilateral and bilateral development agencies to use UNCITRAL texts in their law reform activities and projects; providing advice and assistance to international and other organizations, such as professional associations, organizations of attorneys, chambers of commerce and arbitration centres, on the use of UNCITRAL texts; and organizing training activities to facilitate the implementation and interpretation of legislation based on UNCITRAL texts by judges and legal practitioners.

10. Design and implementation of technical cooperation and assistance activities took place in line with the priorities identified for such activities, which include: stressing a regional and subregional approach in order not only to achieve economies of scale but also to complement ongoing regional integration initiatives; promoting the universal adoption of those international trade law texts already enjoying wide acceptance, and making particular efforts to disseminate information on recently adopted texts, with a view, if such texts were treaties, to fostering their early adoption and entry into force (A/66/17, para. 255).

11. Some of the key activities undertaken in the relevant time period are described below. Activities denoted with an asterisk were funded by the UNCITRAL Trust Fund for Symposia.

Initiatives for a regional approach

12. The Secretariat continued participating in the Asia-Pacific Economic Cooperation (APEC) Ease of Doing Business (EoDB) project on enforcing contracts in cooperation with the Ministry of Justice of the Republic of Korea. The project aims at strengthening the legislative and institutional framework for the enforcement of contracts in APEC economies and has been expanded to include non-APEC economies as well. During the reporting period, UNCITRAL participated in projects focusing on Mexico (Mexico City, 26-28 May 2014)*, Myanmar (Naypyidaw, 28-30 August 2014)*, Sri Lanka (Colombo, 27-29 January 2015)* and Thailand (Bangkok, 1-3 April 2015)*. The legal environment for enforcing contracts varied to quite an extent in these four States as well as their adoption of UNCITRAL texts. Recommendations for legal reforms were presented to respective government officials during the fourth and fifth APEC EoDB wrap-up seminars: the fourth for Mexico and Myanmar (Seoul, 25-27 November 2014)* and the fifth for Sri Lanka and Thailand (Seoul, 5-7 May 2015)*. The Secretariat also participated in the conference "World Bank and Ministry of Justice Doing Business 2014 and Beyond: Smart Regulation towards Sustainable Growth", which aimed at expanding the APEC EoDB project to areas other than enforcing contracts and to seek further coordination with the World Bank on its Doing Business indicators (Seoul, 12-15 May 2014)*. The Secretariat's participation in this project was made possible through the continued voluntary contribution from the Government of the Republic of Korea.

13. Additional information on the regional technical assistance and cooperation activities of the UNCITRAL Regional Centre for Asia and the Pacific is available in the dedicated report (A/CN.9/842).

Promotion of the universal adoption of fundamental trade law instruments

14. The Secretariat has continued to engage in promoting the adoption of fundamental trade law instruments, i.e., those treaties that are already enjoying wide adoption and the universal participation to which would therefore seem particularly desirable.

15. The treaties currently considered under that approach are the Convention on the Recognition and Enforcement of Foreign Arbitral Awards (New York, 1958)[2] (the "New York Convention", a United Nations convention adopted prior to the establishment of the Commission, but actively promoted by the Commission), whose universal adoption has already been explicitly called for by the General Assembly,[3] and the CISG.

Promotion of recent treaties

16. The Secretariat continues to promote recently adopted treaties in order to encourage their signature and adoption by States with a view to facilitating their early entry into force and, when already in force, to consolidate their status as globally accepted standards. Treaties currently considered under that approach include the United Nations Convention on the Use of Electronic Communications in International Contracts (New York, 2005),[4] the United Nations Convention on Transparency in Treaty-based Investor-State Arbitration (New York, 2014) (the "Mauritius Convention on Transparency") and the United Nations Convention on Contracts for the International Carriage of Goods Wholly or Partly by Sea (New York, 2008) (the "Rotterdam Rules").[5]

17. The Secretariat organized jointly with the Government of Mauritius an event for the opening of the Mauritius Convention on Transparency to signature by States (Port Louis, 17 March 2015).*

18. In promoting the signature and ratification of the Rotterdam Rules, the Secretariat has participated in the Asian Experts Group Meeting to promote ratification in the region, hosted by RCAP and Comité Maritime International in Singapore on 22 April 2015, and has participated as a speaker in the 7th Asian Maritime Law Conference (Singapore, 23-24 April 2015)*.

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[2] United Nations, *Treaty Series*, vol. 330, No. 4739.

[3] United Nations General Assembly, Resolution 62/65 of 8 January 2008, para. 3.

[4] General Assembly resolution 60/21, annex.

[5] General Assembly resolution 63/122, annex.

B. Specific activities

Sale of goods

19. For detailed information on the activities of the Secretariat related to the promotion of the adoption, use and uniform interpretation of UNCITRAL texts on the international sale of goods, see document A/CN.9/849.

Dispute resolution

20. The Secretariat has been engaged in the development of instruments and tools to provide information on the application and interpretation of UNCITRAL texts in the field of dispute settlement. The Secretariat has also been engaged in training activities, in the promotion of instruments relating to arbitration and conciliation as well as in supporting ongoing legislative work. Given the high rate of adoption of these texts, the demand for technical assistance in the field of dispute resolution remains particularly acute.

(i) Development of instruments and tools to provide information on the application and interpretation of UNCITRAL texts in the field of dispute settlement

21. Regarding the New York Convention, the website (www.newyorkconvention1958.org) which was established in order to make the information gathered in the preparation of the UNCITRAL guide on the New York Convention publicly available,[6] has been expanded with the inclusion of case law from additional jurisdictions, as well as with comprehensive bibliographical references.

22. Regarding the UNCITRAL Model Law on International Commercial Arbitration (1985), with amendments as adopted in 2006 (the "Model Law on Arbitration"),[7] the Secretariat is currently working on updating the 2012 Digest of Case Law on the Model Law on International Commercial Arbitration.[8]

(ii) Supporting ongoing legislative work and training activities

23. The Secretariat has reviewed or provided comments on legislation on arbitration of Albania, Bahrain, Brazil, British Virgin Islands, Colombia, Colorado (a state of the United States), Georgia, India, Kazakhstan, Mongolia, Montenegro, Myanmar, Palestine, Panama, Qatar, and Turkmenistan.

24. The Secretariat co-organized, with the Austrian Arbitration Association, the International Arbitral Centre of the Austrian Federal Economic Chamber (VIAC), the International Chamber of Commerce Austria and the Young Austrian Arbitration Practitioners (YAAP), the Vienna Arbitration Day 2015 (Vienna, 13-14 February 2015).

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[6] *Official Report of the General Assembly, Sixty-seventh session, Supplement No. 17* (A/57/17), paras. 135 and 136.

[7] United Nations publication, Sales No. E.08.V.4.

[8] Available from www.uncitral.org/uncitral/en/case_law/digests.html.

25. Other events on international arbitration in which the Secretariat participated or contributed include:

(a) Alternative Dispute Resolution Workshop, whose purpose was to provide training on arbitration and conciliation legislative frameworks (Kiev, 20-22 May 2014);

(b) Second China-Europe Legal Forum, aimed at enhancing legal exchanges and promoting trade and economic cooperation, organized in cooperation with the European Parliament and the Austrian Parliament (Vienna, 26-27 June 2014);

(c) Expert Group Meetings of the Energy Charter Treaty secretariat to present the UNCITRAL Rules on Transparency in Treaty-based Investor-State Arbitration, and the Mauritius Convention on Transparency (Brussels, 4 June 2014 and 21 April 2015), and (ii) the UNCITRAL Rules on Conciliation (Vienna, 13 November 2014);

(d) Conference "International Commercial Arbitration: The UNCITRAL Model Law and Beyond" organized by the Bar Ilan University, (Tel Aviv, 7-10 June 2014);

(e) Conference on the revision of the UNCITRAL Notes on Organizing Arbitral Proceedings, organized jointly with the Vienna International Arbitration Centre (VIAC) as a side event during the session of the UNCITRAL Working Group II (Arbitration and Conciliation) (Vienna, 16 September 2014);

(f) The 2014 UNCITRAL Hong Kong Seminar in cooperation with the Hong Kong International Arbitration Centre (HKIAC) which dealt with transparency in investor-State dispute settlement (Hong Kong, 15 October 2014)*;

(g) The 2014 UNCITRAL Asia Pacific Fall Conference — Trade Development through the Harmonization of Commercial Law, organized in cooperation with the University of Macau (Macau, 17-18 October 2014)*;

(h) A colloquium on alternative dispute resolution organized in conjunction with L'Organisation pour l'Harmonisation en Afrique du Droit des Affaires (OHADA) for its member States (Abidjan, 17-22 October 2014)* where a presentation was made by the Secretariat on arbitration and mediation legislative frameworks;

(i) A regional round table on arbitration-related topics, organized with the German cooperation organization, Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ), for its project in the Balkan region; consideration of the Albanian arbitration law (Tirana, 12-14 November 2014);

(j) The 2014 Slovenian Arbitration Conference and the Joint UNCITRAL-Ljubljana Arbitration Centre (LAC) Conference on Dispute Settlement in conjunction with LAC (Ljubljana, 11 November 2014 and 24 March 2015);

(k) Conference on the Role of State Courts in International Commercial Arbitration (Sharm el-Sheikh, Egypt, 15-18 November 2014);

(l) Third Asia-Pacific Alternative Dispute Resolution Conference organized by the UNCITRAL Regional Centre for Asia and the Pacific jointly with the Ministry of Justice of the Republic of Korea and the Korean Commercial Arbitration Board (Seoul, 15-19 November 2014)*;

(m) Training on arbitration-related issues to representatives of the Government of Kazakhstan (Vienna, 17-20 November 2014);

(n) Conference organized by the Kiel Centre for Eurasian Economic Law (KEEL) on "Settlement of International Trade Disputes in the Region of the Caucasus and Central Asia: Public and Private Mechanisms" (Kiel, Germany, 28-29 November 2014);

(o) Workshop on arbitration jointly organized with the Economic Cooperation Organization (ECO) for ECO member States (Tehran, 2 December 2014)*;

(p) Round table organized by the Brussels Office of the Trans-Atlantic Business Council (TABC) to deliver a presentation on UNCITRAL perspectives on investor-State dispute settlement (Brussels, 4 December 2014);

(q) Annual Conference organized by the Investment Security in the Mediterranean (ISMED) Initiative, "Defining a Way Forward for Infrastructure Investment in the Middle-East and North Africa (MENA)" (Paris, 4-5 December 2014)*;

(r) International Conference for Euro-Mediterranean Community of International Arbitration (Marseilles, France, 8-9 December 2014)*;

(s) Mauritius International Arbitration Conference 2014 (MIAC) (Flic-en-Flac, Mauritius, 15-16 December 2014);

(t) Meetings with the Arbitration Court at the Chamber of Economy of Montenegro (Podgorica, 30 December 2014);

(u) Asia Pacific Mediation Summit on building sustainable mediation programmes and commercial and cross-border mediation (New Delhi, 12-15 February 2015)*;

(v) Meeting with Permanent Secretary of OHADA (Vienna, 19-20 February 2015);

(w) Third International Conference of ICC Palestine with respect to the new Palestinian Arbitration Law and training with regard to the New York Convention (Ramallah, 26-28 February 2015)*;

(x) Arbitration round table organized by the Commercial Law Development Program (CLDP), ICC-Paris, the Bahrain Chamber for Dispute Resolution (BCDR-AAA) and the Judicial Council of Amman (Amman, 5-7 March 2015)*;

(y) Conference on UNCITRAL's work on transparency with regards to the investments in the Mena region (Besancon, France, 13 March 2015)*;

(z) International conference on investor-State arbitration and arbitration in general which preceded the signing ceremony of the Mauritius Convention on Transparency (Port Louis, 17 March 2015)*;

(aa) International Arbitration Conference at Comenius University to discuss amendments to Slovakia's Arbitration Act (Bratislava, 23 April 2015); and

(bb) A presentation to Members of the European Parliament on "ISDS transparency in practice" at a seminar on "ISDS in the TTIP" organized by the Stockholm Chamber of Commerce (Brussels, 5 May 2015).

Electronic commerce

26. The Secretariat has continued promoting the adoption of UNCITRAL texts on electronic commerce, including in cooperation with other organizations and emphasizing a regional approach. In that framework, the Secretariat has provided comments on draft regional and national legislation and engaged in informal consultation with legislators and policymakers from various jurisdictions.

27. Activities relating to promoting the adoption of UNCITRAL texts on electronic commerce and their effective use and uniform interpretation where already adopted include:

(a) Delivering a presentation on the possible contribution of UNCITRAL texts, in particular the Electronic Communications Convention, in promoting cross-border recognition of electronic signatures between European Union member States and non-European Union member States at the 14th European Forum on Electronic Signature (EFPE 2014) (Miedzyzdroje, Poland, 4-6 June 2014)*;

(b) Delivering presentations at an event for Malagasy commercial operators and practitioners and at a judiciary training workshop. The participation of one expert from the region was also funded (Antananarivo, 8-10 July 2014)*. In 2014, Madagascar has adopted laws on e-commerce and e-signature based on UNCITRAL texts;[9]

(c) Delivering presentations at a workshop on the new law of San Marino on electronic transactions. (San Marino, 22 December 2014), adopted in 2013 and based on UNCITRAL texts.[10] The participation of two experts from the region was also funded;

(d) Delivering presentations at the UNCTAD — ECOWAS Seminar on Cyberlaw Harmonisation and at the UNCTAD Expert Meeting on Cyberlaws and Regulations for Enhancing E-Commerce: including Case Studies and Lessons Learned (Geneva, 23-27 March 2015).

28. Additional relevant events are listed in the note prepared by the UNCITRAL Regional Centre for Asia and the Pacific on its activities (see A/CN.9/842).

Procurement

29. In accordance with requests of the Commission and Working Group I (under its former mandate on Public Procurement and Infrastructure Development), the Secretariat has established links with other international organizations active in procurement reform to foster cooperation with regard to the UNCITRAL Model

[9] See press release UNIS/L/212, "Madagascar Adopts Electronic Transactions and Electronic Signature Law Based on UNCITRAL Texts", 16 January 2015.

[10] See press release UNIS/L/184, "San Marino Adopts Electronic Commerce Law Based on UNCITRAL Texts", 24 May 2013.

Law on Public Procurement (2011) (the "Model Law"),[11] its accompanying Guide to Enactment (2012),[12] and the UNCITRAL texts on Privately-Financed Infrastructure Projects.[13]

30. The aims of such cooperation are to ensure that reforming Governments and organizations are informed of the terms of and the policy considerations underlying those texts, including as regards regional requirements and circumstances, so as to promote a thorough understanding and appropriate use of the Model Law.[14] The Secretariat is following a regional approach to this cooperation through activities with the multilateral development banks and other organizations, addressing the role of public procurement in sustainable development, good governance, the avoidance of corruption and achieving value for money in government expenditure.

31. The main such activities and international events in the year to June 2015, in which the Secretariat has participated as speaker/presenter, included:

(a) Participation as a speaker on the legislative framework for Public-Private Partnerships (PPPs) and modern trends in that field, at the first Songdo Asia-Pacific Conference on PPPs co-organized by Korean Legislation Research Institute and the Korean International Trade Law Association and UNCITRAL RCAP (Incheon, Republic of Korea, 9-10 June 2014);

(b) Participation as a member of the Working Party of the OECD's Leading Practitioners on Public Procurement, in a session of the Public Integrity Network, in a joint seminar on Whistle-blower Protection, and on implementation of the 2015 OECD Recommendation on Public Procurement (Paris, 17-18 June 2014 and 27-28 April 2015 (virtual participation));

(c) Participation as a speaker at a regional conference "Procurement Week 2015", organized by the Institute for Competition and Procurement Studies and the Welsh Government (Cardiff, 17-20 March 2015);

(d) Participation in the Center for Global Development Working Group on Contract Publication, and contributions to "Publishing Government Contracts: Addressing Concerns and Easing Implementation"[15] (Washington, D.C., 8-9 September 2014);

(e) Presentation at a Regional Seminar on fraud and corruption in public procurement at the International Anti-Corruption Academy, (Vienna, 18 September 2014);

(f) Participation as a speaker in the European University Institute Global Governance Programme Conference on "The Internationalization of Government Procurement Regulation", to discuss the impacts of international cooperation in

[11] *Official Records of the General Assembly, Sixty-sixth Session, Supplement No. 17* (A/66/17), annex I.

[12] Available at www.uncitral.org/uncitral/en/uncitral_texts/procurement_infrastructure.html.

[13] The UNCITRAL Legislative Guide (with Legislative Recommendations) and its Model Legislative Provisions on Privately-Financed Infrastructure Projects, available at www.uncitral.org/uncitral/uncitral_texts/procurement_infrastructure.html.

[14] See documents A/CN.9/575, paras. 52 and 67, A/CN.9/615, para. 14, and A/66/17, paras. 186-189.

[15] www.cgdev.org/publication/publishing-government-contracts-addressing-concerns-and-easing-implementation.

UNCITRAL, the WTO and regarding preferential trade agreements (Florence, Italy, 15-16 December 2014);

(g) Within the framework of an EBRD UNCITRAL Public Procurement Initiative, with the support of the OSCE: (i) Presentation of the Model Law and supporting Guide to Enactment on complaints mechanisms and related topics at a regional seminar on Safeguards for Effective Review of Complaints in Public Procurement: Legislation and Practice (Vienna, 28-29 May 2015); (ii) Regional Seminar on public procurement reforms sessions for the Kyrgyz Republic and Tajikistan (Vienna, 22-23 September 2014); (iii) Attendance at six-monthly review meetings of the progress on the Initiative and activities in cooperation with other development partners, such as OECD, OECD-SIGMA, ADB, IsDB, EIB, and others (London, 2 September 2014 (virtual meeting) and 12 January 2015); and (iv) Rounds of consultations with drafters of primary and secondary public procurement legislation and supporting donors in the Kyrgyz Republic and Tajikistan (throughout the year);

(h) Participation in World Bank's International Advisory Group on Procurement, to review and comment on the proposed new Framework for procurement, held at the World Bank Country Office in Egypt (Cairo, 17-18 February 2015);

(i) Contributions to the World Bank's "Benchmarking Public Procurement" report, and participation in a joint World Bank Group — George Washington University Law School panel on the topic (Washington, D.C., 12 March 2015 (virtual participation));

(j) Presentation of UNCITRAL's legislative texts on Privately-Financed Infrastructure Projects and possible future work on PPPs to IADB staff (Washington, D.C., April 9, 2015 (virtual presentation));

(k) Participation in the OECD Task Force on Procurement, co-chaired by the World Bank and the AfDB, to consider revisions to the OECD-DAC methodology for the assessment of public procurement systems, and the establishment of a global community of practice for public procurement (Manila, 20-21 April 2015 (virtual participation).

Supporting ongoing legislative work and training activities

32. The Secretariat has provided advice to the Governments of the Dominican Republic, Jamaica, Surinam and Trinidad and Tobago (with the support of the IADB) and to Kazakhstan, the Kyrgyz Republic and Tajikistan (within the framework of the EBRD UNCITRAL Public Procurement Initiative) on reform of their public procurement legal and regulatory framework.

33. The Secretariat has participated as a lecturer in (i) the programme of an Executive LLM in Public Procurement Law and Policy (University of Nottingham, United Kingdom, 10-11 January 2015; (ii) the 8th and 9th editions of the ITC-ILO Master in Public Procurement for Sustainable Development (Turin, Italy, 17-18 and 30 June 2014 and 2-3 March 2015); and (iii) the International Master in Public Procurement Management (PPM) course at the University of Rome, and in conjunction with the EBRD, Department of Business Government Philosophy Studies (Rome, 16-17 April 2015).

34. Further activities in this field are listed in the note prepared by the UNCITRAL Regional Centre for Asia and the Pacific on its activities (see A/CN.9/842).

Insolvency

35. The Secretariat has promoted the use and adoption of insolvency texts, particularly the UNCITRAL Model Law on Cross-Border Insolvency (1997)[16] and the UNCITRAL Legislative Guide on Insolvency Law (2004),[17] through participation as a speaker at various international meetings and conferences, including:

(a) The European Insolvency and Restructuring Conference on International Insolvency Law Harmonization (Brussels, 23 May 2014), addressing the UNCITRAL process of harmonization and modernization as it relates to insolvency law in a panel on Reforming European National Insolvency Laws: A View from the Executive;

(b) The annual Conference of the International Exchange of Experience on Insolvency Law network (Barcelona, Spain, 28-30 May 2014) to present a lecture on the UNCITRAL process of harmonization and modernization as it relates to insolvency law, focusing on cross-border insolvency;

(c) Meetings with the Law Council of Australia and the Australian Attorney-General's Department (Canberra) concerning Australia's participation at UNCITRAL and seminars on the work of UNCITRAL, focussing on insolvency (Sydney, Canberra and Melbourne, Australia, 24-26 June 2014)*;

(d) Regional Conference of the Arab Center for the Development of the Rule of Law and Integrity (ACRLI) — "Middle East Bankruptcy Reform Initiative project" (Amman, 14-15 September 2014) to discuss international best practice based on the UNCITRAL Legislative Guide on Insolvency Law;

(e) Africa Round Table on Insolvency Reform (ART) (Kampala, 15-18 October 2014).* The Round Table was established with the aim of facilitating discussion of insolvency law reform in Africa and identifying outcomes for further action. This event attracts participation at a high level and includes judges, government officials from both insolvency, company supervisory and other relevant ministries, insolvency professionals, bankers, and international organizations. Significant reform in some countries of the region has provided an impetus to others, as they compare themselves to best practice and international standards. As a result, we are seeing increasing enactment of the Model Law on Cross-Border Insolvency;

(f) Seminar for the American College of Bankruptcy at Boston College on the history of the UNCITRAL Model Law on Cross-Border Insolvency (Boston, United States of America, 20 March 2015);

(g) The 11th Joint UNCITRAL/INSOL/World Bank Multinational Judicial Colloquium, which aims to share information on and promotion of greater understanding of, cross-border insolvency cooperation and the key facilitating role

[16] General Assembly resolution 52/158, annex.

[17] United Nations publication, Sales No. E.05.V.10.

of the Model Law on Cross-Border Insolvency. The participation of three judges from Uganda, Kenya and Romania was also funded (San Francisco, United States, 21-22 March 2015)*; and

(h) Insolvency law in Europe: current trends and future perspectives, organized by the Latvian Presidency of the EU, Latvian Ministry of Justice and the EC (Jurmala, Latvia, 23-24 April 2015).

36. The Secretariat liaised with the Philippines concerning enactment of the Model Law on Cross-Border Insolvency to clarify certain aspects of the legislation and reviewed the enactments of the Model Law by Chile, Seychelles and Vanuatu.

Security interests

37. The approach taken by the Secretariat in providing technical assistance related to UNCITRAL texts on security interests (the United Nations Convention on the Assignment of Receivables in International Trade (2001), the UNCITRAL Legislative Guide on Secured Transactions (2007), its Supplement on Security Rights in Intellectual Property and the UNCITRAL Guide on the Implementation of a Security Rights Registry (2013)) is twofold. The first approach focuses on disseminating information about those texts to Government officials, legislators, judges, academics and practitioners and thus, promoting their implementation. Such activities included the following:

(a) Participated in a panel session and delivered a presentation at the "Capacity-Building Seminar on Secured Transactions Reform" organized by the Organization of American States (OAS) (San Salvador, 21-23 May 2014)*;

(b) Participated in the 14th Annual Conference of the International Insolvency Institute (III) and in the conference on secured financing and registries with the Mexican Ministry of Economy, General Direction of Business Regulation (Mexico City, 8-11 June 2014)*;

(c) Delivered a presentation at the Conference on "Current Developments in International and Comparative Insolvency Law: Corporates, Financial Institutions and Sovereigns" organized by European University Institute (Florence, Italy, 23-25 July 2014);

(d) Delivered a presentation at the International Symposium on "Intellectual Property and Venture Capital: the Secrets to Building Innovation Ecosystems" organized by Kyushu University School of Law and Hokkaido University School of Law and at a seminar held by the Institute of Foreign and Investment Studies of the Bank of Japan; meetings with the Ministry of Justice and Finance (Tokyo, 2-9 September 2014);

(e) Participated at a seminar organized by the Centre for Banking and Financial Law, the Federal Ministry of Justice of Switzerland and the University of Geneva on the draft UNCITRAL Model Law on Secured Transactions (Geneva, 19 September 2014);

(f) Conducted: (i) briefings of officials of the Istanbul Chamber of Commerce-Istanbul Ticaret Odasi (ITO) and the Central Securities Depository-Merkezi Kayit Kuruluşu (MKK); (ii) a seminar on security interests registries based on the UNCITRAL Guide on the Implementation of a Security

Rights Registry; and (iii) a seminar on security interests in bank accounts and non-intermediated securities, and security interests in insolvency based on the UNCITRAL Legislative Guide on Secured Transactions and the draft Model Law on Secured Transactions (Istanbul, 28 October-1 November 2014);

(g) Participated at the Commercial Finance Association (CFA) 70th Annual Convention and presentation of work of UNCITRAL in the area of security interests (Washington, D.C., 12-14 November 2014);

(h) Participated in a seminar on secured transactions organized by the Vienna University of Economics and Business (Vienna, 23 February 2015); and

(i) Delivered a presentation at a conference on secured transactions in the work of UNCITRAL organized by the European Law Institute (ELI) in cooperation with the Austrian Bank Association and the University of Vienna Law School (Vienna, 6 March 2015).

Supporting ongoing legislative work and training activities

38. Staff members of the Secretariat participated as lecturers on secured financing based on the UNCITRAL texts in: (a) the ITC-ILO course on International Trade Law (Turin, Italy, 24-25 February 2015); (b) a course organized by the Civil Law Institute of the University of Vienna Law School (Vienna, fall 2014); and (c) a course jointly organized by the Civil Law Institute of the University of Vienna Law School and the European and Asian Legal Studies programme of the University of Vienna and the City University of Hong Kong (Vienna, spring 2015).

39. The second approach focuses on providing technical assistance to States in their secured transactions law reform activities. An example of such activities is the technical assistance provided in cooperation with the World Bank Group to the Government of Trinidad and Tobago with respect to efforts to reform their secured transactions law. Another example is the capacity-building/technical assistance provided to the Government of Jamaica in cooperation with the Organization of American States. The objective of this cooperation is to ensure that technical assistance is provided consistent with UNCITRAL texts and in particular the UNCITRAL Legislative Guide on Secured Transactions.

40. The Secretariat also engages in informal consultation with legislators and policymakers from various jurisdictions, in some instances as a follow-up to the aforementioned activities. Finally, the Secretariat is making progress in its work with the World Bank with a view to revising the World Bank Insolvency and Creditor Rights Standard to include the key recommendations of the UNCITRAL Legislative Guide on Secured Transactions and reference to the other texts of UNCITRAL on security interests.

Micro, Small and Medium-sized Enterprises

41. The Secretariat has encouraged participation in and dialogue in respect of its work on micro, small and medium-sized enterprises (MSMEs — Working Group I) through its participation, in the Corporate Registers Forum (CRF) annual conference, "Corporate Registration as a Driving Force for Entrepreneurship" (Abu Dhabi, 9-12 March 2015)*.

III. Dissemination of information

42. A number of publications and documents prepared by UNCITRAL serve as key resources for its technical cooperation and assistance activities, particularly with respect to dissemination of information on its work and texts.

A. Website

43. The UNCITRAL website, available in the six official languages of the United Nations, provides access to full-text UNCITRAL documentation and other materials relating to the work of UNCITRAL, such as publications, treaty status information, press releases, events and news. In line with the organizational policy for document distribution, official documents are provided, when available, via linking to the United Nations Official Document System (ODS).

44. In 2014, the website received roughly 640,000 unique visitors, an increase from 2013 (575,000 unique visitors). Of all sessions, roughly 58 per cent were directed to pages in English and 42 per cent to pages in Arabic, Chinese, French, Russian and Spanish. In this respect, it should be noted that, while the UNCITRAL website is among the most important electronic sources of information on international trade law in all languages, it may represent one of few available sources on this topic in some of the official languages.

45. The content of the website is updated and expanded on an ongoing basis in the framework of the activities of the UNCITRAL Law Library and therefore at no additional cost to the Secretariat. The General Assembly has welcomed "the continuous efforts of the Commission to maintain and improve its website, including by developing new social media features, in accordance with the applicable guidelines."[18] In this regard, a Tumblr microblog has been established ("What's new at UNCITRAL?") that is accessible from the UNCITRAL website. Another update is the establishment of interactive status maps for the Convention on the Recognition and Enforcement of Foreign Arbitral Awards (New York, 1958),[19] the UNCITRAL Model Law on International Commercial Arbitration (1985),[20] and the United Nations Convention on Contracts for the International Sale of Goods (Vienna, 1980).[21]

B. Library

46. Since its establishment in 1979, the UNCITRAL Law Library has been serving research needs of Secretariat staff and participants in intergovernmental meetings convened by UNCITRAL. It has also provided research assistance to staff of Permanent Missions, global staff of the United Nations, staff of other Vienna-based international organizations, external researchers and law students. In

[18] General Assembly resolution 69/115.

[19] Available from www.uncitral.org/uncitral/uncitral_texts/arbitration/NYConvention_status_map.html.

[20] Available from www.uncitral.org/uncitral/uncitral_texts/arbitration/1985Model_arbitration_status_map.html.

[21] Available from www.uncitral.org/uncitral/uncitral_texts/sale_goods/1980CISG_status_map.html.

2014, library staff responded to approximately 650 reference requests, a 19 per cent increase over 2013, originating from over 43 countries.

47. The collection of the UNCITRAL Law Library focuses primarily on international trade law and currently holds over 10,000 monographs, 100 active journal titles, legal and general reference material, including non-UNCITRAL United Nations documents, documents of other international organizations; and electronic resources (restricted to in-house use only). Particular attention is given to expanding the holdings in all of the six United Nations official languages. While use of electronic resources has increased, resources on trade law from many countries are still only found in print, and circulation of print items has remained steady (a roughly 8 per cent increase in 2014 over 2013).

48. The UNCITRAL Law Library maintains an online public access catalogue (OPAC) jointly with the other United Nations libraries in Vienna. The OPAC is available via the library page of the UNCITRAL website.[22] In 2015, the OPAC will be updated, providing an easier to use and enhanced interface.

49. The UNCITRAL Law Library staff prepares for the Commission an annual "Bibliography of recent writings related to the work of UNCITRAL". The bibliography includes references to books, articles and dissertations in a variety of languages, classified according to subject (for the forty-eighth Commission session, see A/CN.9/839). Individual records of the bibliography are entered into the OPAC, and the full-text collection of all cited materials is maintained in the Library collection. Monthly updates from the date of the latest annual bibliography are available in the bibliography section of the UNCITRAL website.

50. The Library produces a consolidated bibliography of writings related to the work of UNCITRAL on the UNCITRAL website.[23] The consolidated bibliography aims to compile all entries of the bibliographical reports submitted to the Commission since 1968. It currently contains over 7,500 entries, reproduced in the English and the original language versions, verified and standardized to the extent possible.

C. Publications

51. In addition to official documents, UNCITRAL traditionally maintains two series of publications, namely the texts of all instruments developed by the Commission and the UNCITRAL Yearbook. Publications are regularly provided in support of technical cooperation and assistance activities undertaken by the Secretariat, as well as by other organizations where the work of UNCITRAL is discussed, and in the context of national law reform efforts.

52. The following works were published in 2014: Guide to Enactment of the UNCITRAL Model Law on Public Procurement,[24] UNCITRAL Arbitration Rules (with new article 1, paragraph 4, as adopted in 2013),[25] UNCITRAL Guide on the Implementation of a Security Rights Registry, UNCITRAL Model Law on

[22] Available from www.uncitral.org/uncitral/publications/library.html.

[23] Available from www.uncitral.org/uncitral/publications/bibliography_consolidated.html.

[24] Available from www.uncitral.org/uncitral/uncitral_texts/procurement_infrastructure.html.

[25] Available from www.uncitral.org/uncitral/uncitral_texts/arbitration.html.

Cross-Border Insolvency: The Judicial Perspective (Updated 2013),[26] UNCITRAL Model Law on Cross-Border Insolvency with Guide to Enactment and Interpretation,[27] UNCITRAL Model Law on Public Procurement,[28] UNCITRAL Rules on Transparency in Treaty-based Investor-State Arbitration,[29] and the 2011 UNCITRAL *Yearbook*.[30]

53. The following work was published in early 2015: United Nations Convention on Transparency in Treaty-based Investor-State Arbitration (New York, 2014).[31]

54. In light of budget and environmental concerns, the Secretariat has continued its efforts to use electronic media as a primary method to disseminate UNCITRAL texts. Thus, print runs for all publications have been reduced and several texts published in 2014 have been published exclusively in electronic format, namely: Guide to Enactment of the UNCITRAL Model Law on Public Procurement (e-book), UNCITRAL Model Law on Cross-Border Insolvency: The Judicial Perspective (Updated 2013) (e-book), and the 2011 UNCITRAL *Yearbook* (CD-ROM and e-book).

D. Press releases

55. Press releases are being regularly issued when treaty actions relating to UNCITRAL texts take place or information is received on the adoption of an UNCITRAL model law or other relevant text. Press releases are also issued with respect to information of particular importance and direct relevance to UNCITRAL. Those press releases are provided to interested parties by e-mail and are posted on the UNCITRAL website, as well as on the website of the United Nations Information Service (UNIS) in Vienna or of the Department of Public Information, News and Media Division in New York, if applicable.

56. To improve the accuracy and timeliness of information received with respect to the adoption of UNCITRAL model laws, since such adoption does not require a formal action with the United Nations Secretariat, and to facilitate the dissemination of related information, the Commission may wish to request Member States to advise the Secretariat when enacting legislation implementing an UNCITRAL model law.

E. General enquiries

57. The Secretariat currently addresses approximately 2,000 general enquiries per year concerning, inter alia, technical aspects and availability of UNCITRAL texts, working papers, Commission documents and related matters. Increasingly, these enquiries are answered by reference to the UNCITRAL website.

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[26] Available from www.uncitral.org/uncitral/uncitral_texts/insolvency.html.
[27] Ibid.
[28] Available from www.uncitral.org/uncitral/uncitral_texts/procurement_infrastructure.html.
[29] Available from www.uncitral.org/uncitral/uncitral_texts/arbitration.html.
[30] Available from www.uncitral.org/uncitral/publications/yearbook.html.
[31] Available from www.uncitral.org/uncitral/uncitral_texts/arbitration.html.

F. Briefings for Permanent Missions in Vienna

58. The UNCITRAL Secretariat held briefings for Permanent Missions of States in preparation for the forty-eighth session of UNCITRAL.

G. Information lectures in Vienna

59. The Secretariat provides upon request information lectures in-house on the work of UNCITRAL to visiting university students and academics, members of the bar, Government officials including judges and others interested. Since the last report, lectures have been given to visitors from, inter alia, Austria, China, France, Germany, Greece, Hungary, Latin America, Moscow, Mozambique, Turkey and visiting delegations from Brazilian Vis Moot, Cicero League of International Lawyers, European Law Students' Association (ELSA), Moot Alumni Association, Kazakhstan, Mozambique and Saudi Arabia.

IV. Resources and funding

60. The costs of most technical cooperation and assistance activities are not covered by the regular budget. The ability of the Secretariat to implement the technical cooperation and assistance component of the UNCITRAL work programme is therefore contingent upon the availability of extrabudgetary funding.

61. The Secretariat has explored a variety of ways to increase resources for technical assistance activities, including through in-kind contributions. In particular, a number of missions have been funded, in full or in part, by the organizers. Additional potential sources of funding could be available if trade law reform activities could be mainstreamed more regularly in broader international development assistance programmes. In this respect, the Commission may wish to provide guidance on possible future steps.

A. UNCITRAL Trust Fund for symposia

62. The UNCITRAL Trust Fund for symposia supports technical cooperation and assistance activities for the members of the legal community in developing countries, funding the participation of UNCITRAL staff or other experts at seminars where UNCITRAL texts are presented for examination and possible adoption and fact-finding missions for law reform assessments in order to review existing domestic legislation and assess country needs for law reform in the commercial field.

63. During the period under review, a new contribution of Euro 15,000 (earmarked for activities related to Euro-Mediterranean Community of International Arbitration) was received from the Government of France as well as a contribution of US$ 20,000 by the Government of Indonesia. The Government of the Republic of Korea, through its Ministry of Justice provided a contribution of US$ 17,336.90 for the participation of the UNCITRAL Secretariat in the APEC EoDB project.

64. At its 47th Session (New York, 7-18 July 2014), the Commission appealed to all States, international organizations and other interested entities to consider making contributions to the Trust Fund for UNCITRAL symposia, if possible, in the form of multi-year contributions, or as specific-purpose contributions, so as to facilitate planning and enable the Secretariat to meet the increasing requests from developing countries and countries with economies in transition for training and technical legislative assistance (A/69/17, paras. 167-168). Potential donors have also been approached on an individual basis.

65. The Commission may wish to note that, in spite of efforts by the Secretariat to solicit new donations, funds available in the Trust Fund are sufficient only for a very small number of future technical cooperation and assistance activities. Efforts to organize the requested activities at the lowest cost and with co-funding and cost sharing whenever possible are ongoing. However, once current funds are exhausted, requests for technical cooperation and assistance involving the expenditure of funds for travel or to meet other costs will have to be declined unless new donations to the Trust Fund are received or alternative sources of funds can be found.

66. The Commission may once again wish to appeal to all States, relevant United Nations Agencies and bodies, international organizations and other interested entities to make contributions to the Trust Fund, if possible in the form of multi-year contributions, so as to facilitate planning and to enable the Secretariat to meet the demand for technical cooperation and assistance activities and to develop a more sustained and sustainable technical assistance programme. The Commission may also wish to request Member States to assist the Secretariat in identifying sources of funding within their Governments.

B. UNCITRAL Trust Fund to grant travel assistance to developing countries that are members of UNCITRAL

67. The Commission may wish to recall that, in accordance with General Assembly resolution 48/32 of 9 December 1993, the Secretary-General was requested to establish a Trust Fund to grant travel assistance to developing countries that are members of UNCITRAL. The Trust Fund so established is open to voluntary financial contributions from States, intergovernmental organizations, regional economic integration organizations, national institutions and non-governmental organizations, as well as to natural and juridical persons.

68. In the period under review, a contribution in the amount of euro 5,000 was received from the Government of Austria, as well as another contribution, in the amount of US$ 3,000 by the Commercial Finance Association (CFA), both to whom the Commission may wish to express its appreciation.

69. During the same reporting period, the available Trust Fund resources were used to facilitate participation at the 47th session of UNCITRAL in New York in July 2014 for delegates from Kenya, Honduras and El Salvador, as well as for a delegate of Mexico to participate in the 25th session of WG VI in New York, a delegate of El Salvador in the 23rd session of WG I in Vienna and a delegate of Colombia in the 24th session of WG I in New York. In order to allow for broader

assistance despite the limited resources of the fund, cost coverage in each case has been provided either for the air ticket, or for the DSA only.

70. In order to ensure participation of all Member States in the sessions of UNCITRAL and its Working Groups, the Commission may wish to reiterate its appeal to relevant bodies in the United Nations system, organizations, institutions and individuals to make voluntary contributions to the Trust Fund established to provide travel assistance to developing countries that are members of the Commission.

71. It is recalled that in its resolution 51/161 of 16 December 1996, the General Assembly decided to include the Trust Funds for UNCITRAL symposia and travel assistance in the list of funds and programmes that are dealt with at the United Nations Pledging Conference for Development Activities.